

## **REMARKS**

Original claims 1 through 35 are pending in the instant application. Claims 1, 12, 23, and 26-35 are rejected under 35 U.S.C. §102(b) as being anticipated by Suzuki, et al. (U.S. Patent No. 4,970,546); claims 2, 5-11, 13, 16-22, and 32 are rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki; and claims 3-4, 14-15, and 24-25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Johnson (U.S. Patent No. 5,969,805). Applicant has amended the claims to more particularly distinguish the invention.

The Suzuki reference was discussed during the interview with examiner David Meyer on January 15, 2004. Mr. Meyer noted that Suzuki disclosed providing multiple light pulses followed by smaller correcting pulses. The instant invention reduces the fluctuation in pulse-to-pulse intensity by truncating the integrated intensity of a light pulse upon reaching a predetermined value. Thus, the pulses are of a more accurate integrated intensity level than previously known in the art. Mr. Meyer indicated that the claims would be allowable if they incorporated a recognition of this increased accuracy feature of cutting off energy to a pulse light source during the generation of the light pulse. Applicant has amended the claims to more particularly point out this patentable difference and believes the claims to now be in allowable form.

In addition, Mr. Meyer noted that, should the claims be amended as discussed to overcome Suzuki under 35 U.S.C. §102(b), then the claims would also overcome the (Suzuki in view of Johnson) rejection under 35 U.S.C. §103(a).

## **Conclusion**

If the Examiner believes a telephone conference with Applicant's attorney would expedite or conclude prosecution of this application, he is cordially invited to contact Applicant's attorney by telephone at the below-listed number.

In summary, Applicant respectfully submits that claims 1-31, 34, and 35, as originally submitted and as currently amended, are clearly allowable for the reasons stated herein and therefore request such allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Price', with a horizontal line extending to the right.

Joshua L. Price  
Registration No. 50,766  
Attorney for Applicant

Customer No. 029889  
919/683-5514  
Dated: February 17, 2004